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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	<i>Application Number</i>	09/989,674
	<i>Filing Date</i>	Nov. 21, 2001
	<i>First Named Inventor</i>	Gordon L. Woods
	<i>Group Art Unit</i>	1617
	<i>Examiner Name</i>	S. A. Jiang
	<i>Attorney Docket Number</i>	2404-105
<i>Title of the Invention:</i> Method for Regulating Levels of Zinc, Cadmium and Calcium in Humans and for Diagnosing or Screening for the Risk of Developing, Diseases Associated with Abnormal Levels of Cadmium, Zinc and Calcium		

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In an Office Action mailed January 29, 2002, restriction to one of the following inventions was required under 35 U.S.C. §121:

Group I: claims 1-11 and 56, drawn to a method of decreasing the PGE2:PGE2 α ratio and zinc:cadmium ratio in the body fluid of a mammal, classified in class 424, subclass 654;

Group II: claims 12-16, drawn to a method of regulating the concentration of zinc-containing and PGE2-dependent matrix metalloproteinases in the body fluid of a mammal. classified in class 424, subclass 654;

Group III: claims 17-19 and 60, drawn to methods of regulating and correcting the concentration of zinc in the body fluid and tissues of a mammal, classified in class 424, subclass 654;

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Group IV: claims 20-25 and 61, drawn to method of regulating and correcting the concentration of zinc (*sic*; cadmium) in the body fluid and tissues of a mammal, classified in class 424, subclass 654;

Group V: claims 26-35 drawn to a method of screening a person for indication of or a risk of developing a disease associated with a cadmium deficiency, classified in class 424, subclass 654;

Group VI: claims 36-38 drawn to a method of regulating the influx of extracellular calcium into cells in the body of a human, classified in class 424, subclass 654.

Group VII: claims 39-41 drawn to a method for preventing or delaying the onset of prostate, colon or breast cancer in a human, classified in class 424, subclass 654.

Group VIII: claims 42 and 47-54 drawn to a method for preventing or slowing the progress of a disease associated with above-normal systemic levels of zinc in a human, classified in class 424, subclass 654.

Group IX: claim 43 drawn to a method for preventing or delaying the onset of osteoporosis in a human, classified in class 424, subclass 654.

Group X: claim 44 drawn to a method for preventing or delaying the onset of diabetes in a human, classified in class 424, subclass 654.

Group XI: claim 45 drawn to a method for preventing or delaying the onset of hypertension in a human, classified in class 424, subclass 654.

Group XII: claim 46 drawn to a method for preventing or delaying the onset of Alzheimer's disease in a human, classified in class 424, subclass 654.

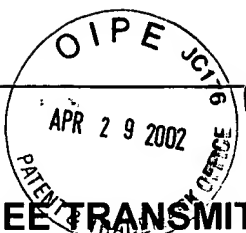
Group XIII: claim 55 drawn to a method for inhibiting cancerous tumor growth in a human, classified in class 424, subclass 654.

Group XIV: claim 63 drawn to two compositions comprising specific components herein, classified in class 424, subclass 654.

Applicant hereby elects the claims of Group IV, claims 20-25 and 61, for initial prosecution on the merits.

Applicant specifically reserves the right to file one or more divisional applications directed to any of the non-elected claims.

<input checked="" type="checkbox"/> Customer Number or Bar Code Label 6449					
Name	Barbara G. Ernst, Reg. No. 30,377				
Signature	Barbara G. Ernst By <i>[Signature]</i> Reg. No. 28957			Date	4/29/02
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**FEE TRANSMITTAL
for FY 2001
(Small Entity)**

Complete if Known

Application Number	09/989,674
Filing Date	November 21, 2001
First Named Inventor	Gordon L. Woods
Examiner Name	Shaojia A. Jiang
Group Art Unit	1617

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Total Amount of Payment	(\$200.00)
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Attorney Docket Number	2404-105
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METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge this fee to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

2. ☐ Payment Enclosed:

☐ Check
☐ Credit Card

FEE CALCULATION

1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
201	370	Utility filing fee	[]
206	165	Design Filing Fee	[]
207	255	Plant Filing Fee	[]
208	370	Reissue Filing Fee	[]
214	80	Provisional Filing Fee	[]

SUBTOTAL \$

2. CLAIMS

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[]	[]	[]	- 20** = [] x	\$ 9 = []	[]
[]	[]	[]	- 3** = [] x	42 = []	[]
[]	[]	[]	+ 140 = []		[]

**or number previously paid, if greater;

SUBTOTAL \$

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[]
227	25	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
215	55	Extension for reply within first month	[]
216	200	Extension for reply within second month	[200.00]
217	460	Extension for reply within third month	[]
218	720	Extension for reply within fourth month	[]
228	980	Extension for reply within fifth month	[]
219	160	Notice of Appeal	[]
220	160	Filing a brief in support of an appeal	[]
221	150	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
240	55	Petition to revive -unavoidable	[]
241	640	Petition to revive - unintentional	[]
242	640	Utility issue fee (or reissue)	[]
243	230	Design issue fee	[]
244	310	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
246	370	Filing a submission after final rejection (37 CFR .129(a))	[]
249	370	For each additional invention to be examined (37 CFR 1.129(b))	[]
279	370	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing an application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
Other fee (specify)			[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Barbara G. Ernst, Reg. No. 30,377		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
<i>Barbara G. Ernst</i> <i>By filing this Reg No 28957</i>	4/29/02		